

MINUTE ITEM

7. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATIONS NOS. 4958, 5041, AND 5099, SACRAMENTO LAND DISTRICT, SANTA CLARA COUNTY, JAMES K. STONIER - S.W.O. NOS. 5666, 5833, AND 5965.)

After presentation of Calendar Item No. 19 attached, during which it was noted that the area indicated in the recommendation should be 586.49 acres instead of 585.35 acres, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXTENSIONS HERETOFORE GRANTED, UNTIL 5 P.M. MAY 13, 1957, WITHIN WHICH THE APPLICANT IS ALLOWED TO MEET THE APPRAISED VALUE OF THE LAND, EMBRACED IN APPLICATIONS NOS. 4958, 5041, AND 5099, ARE CONFIRMED.

FURTHER, THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN APPLICATIONS NOS. 4958, 5041, AND 5099, SACRAMENTO LAND DISTRICT, CONTAINING 586.49 ACRES IN SANTA CLARA COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION APPROVES THE SELECTION AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO JAMES K. STONIER, AT THE APPRAISED CASH PRICE OF \$5,407.93, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS. IN THE EVENT THAT THE APPLICANT, JAMES K. STONIER, DOES NOT MEET THE APPRAISED VALUE OF THE LAND, THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN APPLICATIONS NOS. 4958, 5041, AND 5099, SACRAMENTO LAND DISTRICT; THE COMMISSION APPROVES THE SELECTION OF SAID LAND AND AUTHORIZES THE SALE THEREOF PURSUANT TO THE RULES AND REGULATIONS GOVERNING THE SALE OF VACANT STATE SCHOOL LAND, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.

Attachment
Calendar Item 19 (2 pages)

STANDARD B & P "NOIEAR" ®

"NOIEAR" ®

CALENDAR ITEM

SALE OF VACANT FEDERAL LAND

19.

(SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATIONS NO. 4958, NO. 5041 AND NO. 5099, SACRAMENTO LAND DISTRICT, SANTA CLARA COUNTY, JAMES K. STONIER - S.W.O. NOS. 5665, 5833 AND 5965.)

Offers have been received from James K. Stonier of San Jose, California, to purchase vacant federal lands under the applications hereinafter set out. The minimum offer of \$5 per acre was made by the applicant as required by the Rules and Regulations of the Commission.

<u>App. No.</u>	<u>Description</u>	<u>Appraised Price</u>
4958	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of fractional Section 28 and E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 33, T. 7 S., R. 4 E., M.D.M., containing 120 acres.	\$10 per acre
5041	NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5, Lot 6 and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7, T. 8 S., R. 4 E., M.D.M., containing 167.85 acres.	\$8 per acre
	Lot 14 of Section 32, T. 7 S., R. 4 E., and Lots 1 and 4 of Section 3, T. 8 S., R. 4 E., M.D.M., containing 138.14 acres.	\$10 per acre (Average \$8.90 per acre)
5099	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 31 and Lots 11 and 12 of Section 32, T. 7 S., R. 4 E., M.D.M., containing 120.50 acres.	\$10 per acre
	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, T. 7 S., R. 4 E., M.D.M., containing 40 acres.	\$7 per acre (Average \$9.25 per acre)

Inspections and appraisals by a member of the Commission's staff on September 20 and on December 18, 1956, established the valuation on the land in accordance with the tabulation on page 1.

The applicant has objected to the values established, alleging they are above the market price for lands in that vicinity. For the purpose of allowing Mr. Stonier sufficient time to undertake an independent appraisal, an extension of 20 days was granted over and above the original period allowed by the Rules and Regulations of the State Lands Commission. It is understood that Mr. Stonier is desirous of appearing before the Commission, at the meeting to be held May 13, 1957, to protest the values established. He has also indicated that he has had the land revalued by an independent appraiser who

SALE OF VACANT FEDERAL LAND 19. (CONTD.)

establishes the value of all the land at \$8 per acre.

IT IS RECOMMENDED THAT THE EXTENSIONS HERETOFORE GRANTED, UNTIL 5 P.M. MAY 13, 1957, WITHIN WHICH THE APPLICANT IS ALLOWED TO MEET THE APPRAISED VALUE OF THE LAND, EMBRACED IN THE ABOVE REFERRED TO APPLICATIONS, BE CONFIRMED.

FURTHER, IT IS RECOMMENDED THAT THE COMMISSION DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN APPLICATIONS NOS. 4958, 5041, AND 5099, SACRAMENTO LAND DISTRICT, CONTAINING 585.35 ACRES IN SANTA CLARA COUNTY; THAT THE COMMISSION FIND THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THAT THE COMMISSION APPROVE THE SELECTION AND AUTHORIZE THE SALE OF SAID LAND, FOR CASH, TO JAMES K. STONIER, AT THE APPRAISED CASH PRICE OF \$5,407.93, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS. IN THE EVENT THAT THE APPLICANT, JAMES K. STONIER, DOES NOT MEET THE APPRAISED VALUE OF THE LAND, IT IS RECOMMENDED THAT THE COMMISSION DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN APPLICATIONS NOS. 4958, 5041, AND 5099, SACRAMENTO LAND DISTRICT; THAT THE COMMISSION APPROVE THE SELECTION OF SAID LAND AND AUTHORIZE THE SALE THEREOF PURSUANT TO THE RULES AND REGULATIONS GOVERNING THE SALE OF VACANT STATE SCHOOL LAND, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.